

In The Eastern District Of Texas

ശബരിമല

2:22-CR-00002-JRG-RSP(1)

 V_{S_1}

United States Of America

FIELD

FEB 24 2325

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

Motion For Compassionate Release
3582(c)(1)(a)

Pro-Se, defendant, McGee challenges the constitutionality of his conviction and continued incarceration.

The 2nd Amendment of the United States Constitution states that "The right of the people to keep and bear arms shall not be infringed." That speaks clearly that anyone (not a particle subject such as felons) under the Constitution as a citizen of the United States of America has the right to keep and bear arm for the purpose of self-defense in case of a confrontation. That right "shall not be infringed" is also very clear and historically supported by multiple states (Particularly the State of Texas).


Historically the State of Texas, before and after its Union with the United States of America issued a "Colt Peacemaker" to prisoners upon release from confinement. The State issued firearms to convicted felons for decades before Congress passed new laws.

These facts can not be disputed, yet in disregard to the constitution of the United States of America, Congress passed legislation to incarcerate individuals who are in possession of a firearm if they have been convicted of a felony.

In light of Supreme Court Ruling in *New York State Rifle & Pistol Assn. Inc. Vs. Bruen*, 142 S. Ct. 211 (2022) which held that firearm regulation are unconstitutional unless the government proves that the restriction is firmly rooted in the nations history of gun regulations. The defendant argues that the government is unable to prove that historically felons were restricted from possessing firearms upon release from confinement. Without historical basis for this restriction McGree's Conviction and Continued incarceration is considered unconstitutional by the Supreme Court of the United States of America.

McGree contest that an unconstitutional Conviction and Sentence meets the criteria for "Extraordinary and Compelling Circumstances". McGree request immediate relief in the form of Immediate Release Under the terms of time served without the obligation of supervised release to be imposed after his release from incarceration.

Respectfully Submitted,

 Pro-Se Defendant
Bradley Kyle McGree
#70819-510